

(A) A PERSON WHO IS AN HEIR, NEXT OF KIN, DEVISEE, LEGATEE, PERSON SUCCEEDING TO A DISCLAIMED INTEREST, BENEFICIARY UNDER A TESTAMENTARY INSTRUMENT, OR APPOINTEE UNDER A POWER OF APPOINTMENT EXERCISED BY A TESTAMENTARY INSTRUMENT, MAY DISCLAIM IN WHOLE OR IN PART THE RIGHT OF SUCCESSION TO ANY PROPERTY OR INTEREST IN ANY PROPERTY, INCLUDING A FUTURE INTEREST, BY FILING A DISCLAIMED UNDER THIS SUBTITLE.

(B) A PERSON WHO IS A GRANTEE, DONEE, JOINT TENANT, TENANT BY THE ENTIRETIES, PERSON SUCCEEDING TO A DISCLAIMED INTEREST, BENEFICIARY UNDER A NONTESTAMENTARY INSTRUMENT OR CONTRACT, OR APPOINTEE UNDER A POWER OF APPOINTMENT EXERCISED BY A NONTESTAMENTARY INSTRUMENT, MAY DISCLAIM IN WHOLE OR IN PART THE RIGHT OF TRANSFER TO HIM OF ANY PROPERTY OR INTEREST IN ANY PROPERTY, INCLUDING A FUTURE INTEREST, BY DELIVERING OR FILING A DISCLAIMED UNDER THIS SUBTITLE. A JOINT TENANT OR TENANT BY THE ENTIRETIES MAY DISCLAIM THE ENTIRE INTEREST IN ANY PROPERTY THAT IS THE SUBJECT OF A JOINT TENANCY OR TENANCY BY THE ENTIRETIES IF THE DISCLAIMANT DID NOT JOIN IN CREATING THE JOINT TENANCY OR TENANCY BY THE ENTIRETIES AND IF THE DISCLAIMANT HAS NOT ACCEPTED A BENEFIT UNDER THE JOINT TENANCY OR TENANCY BY THE ENTIRETIES. A JOINT TENANT MAY DISCLAIM AS A SEPARATE INTEREST ANY PROPERTY OR INTEREST IN ANY PROPERTY WHICH OTHERWISE WOULD DEVOLVE TO THE DISCLAIMANT BY RIGHT OF SURVIVORSHIP. A TENANT BY THE ENTIRETIES MAY DISCLAIM AS A SEPARATE INTEREST ANY PROPERTY OR INTEREST IN ANY PROPERTY WHICH OTHERWISE WOULD DEVOLVE TO THE DISCLAIMANT BY RIGHT OF SURVIVORSHIP ONLY IF THE DISCLAIMANT'S SPOUSE AFFIXES HIS OR HER WRITTEN CONSENT TO THE DISCLAIMED.

(C) THIRTY DAYS AFTER DELIVERING OR MAILING WRITTEN NOTICE TO ALL INTERESTED PERSONS, THE ATTORNEY IN FACT OF A PERSON, OR THE PERSONAL REPRESENTATIVE OF A DECEASED PERSON, OR THE GUARDIAN OF THE PROPERTY OF A MINOR OR DISABLED PERSON, MAY DISCLAIM ON BEHALF OF THAT PERSON, IN WHOLE OR IN PART, THE RIGHT OF SUCCESSION OR TRANSFER TO THAT PERSON OF ANY PROPERTY OR INTEREST IN ANY PROPERTY. THE CIRCUIT COURT, WITHOUT APPOINTING A GUARDIAN, MAY AUTHORIZE OR DIRECT A DISCLAIMED ON BEHALF OF A MINOR OR DISABLED PERSON PURSUANT TO § 13-204 OF THIS ARTICLE. IN THE CASE OF A DECEASED PERSON, INTERESTED PERSONS ARE THOSE DEFINED IN § 1-101 OF THIS ARTICLE. IN ALL OTHER CASES, INTERESTED PERSONS ARE THOSE DEFINED IN § 13-101 OF THIS ARTICLE.

(D) FOR PURPOSES OF THIS SUBTITLE, A POWER WITH RESPECT TO PROPERTY, OR ANY POSSIBLE FUTURE RIGHT TO TAKE AS AN APPOINTEE OF AN UNEXERCISED POWER OF APPOINTMENT, OR ANY RIGHT TO TAKE AS A BENEFICIARY OF A DISCRETIONARY POWER TO DISTRIBUTE INCOME OR PRINCIPAL, SHALL BE TREATED AS AN INTEREST IN PROPERTY.

Comments to § 9-201

§9-201(a) is derived from Section 1 of the Uniform Disclaimer of Transfers by Will, Intestacy or Appointment Act and § 9-201(b) is derived from Section 1 of the Uniform